

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 308

AN ACT concerning Medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.**

(b) **As used in this SECTION, "pay-in option" refers to the method allowed under 42 U.S.C. 1396b under which a Medicaid recipient may satisfy a state's income spend down requirements by paying to the state the spend down amount each month.**

(c) **Before June 1, 2006, the office may apply to the United States Department of Health and Human Services to amend the state's Medicaid plan to allow a Medicaid recipient to elect to participate in the pay-in option in the state's Medicaid spend down program allowed under 42 U.S.C. 1396b.**

(d) **The office may not implement the amendment described in subsection (c) until the office files an affidavit with the governor attesting that the amendment applied for under this SECTION is in effect. If the office applies for the amendment described in this SECTION, the office shall file the affidavit under this subsection not later than five (5) days after the office is notified by the United States Department of Health and Human Services that the amendment is approved.**

(e) **If the office receives approval for the amendment under this SECTION and the governor receives the affidavit filed under**

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subsection (d), the office may implement the amendment.

(f) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(g) This SECTION expires December 31, 2013.

SECTION 2. An emergency is declared for this act.

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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